LRB-2360/1 JK:nwn:rs

2009 ASSEMBLY BILL 375

August 18, 2009 – Introduced by Representatives Shilling and Huebsch, cosponsored by Senator Kapanke. Referred to Committee on Urban and Local Affairs.

- 1 AN ACT *to create* 70.11 (45) of the statutes; **relating to:** a property tax exemption
- 2 for certain nonprofit community theaters.

Analysis by the Legislative Reference Bureau

This bill creates a property tax exemption for property owned by a nonprofit entity and operated as a community theater, if the property satisfies all of the following conditions:

- 1. It is used for the purposes for which the nonprofit entity is granted a federal income tax exemption.
- 2. It is located on land that the nonprofit entity owned prior to the bill's effective date or on land donated by a local business owner or by a municipality.
 - 3. It is located on land that is within 20 miles of the Mississippi River.
- 4. It is located on a parcel of land that is at least one–fourth of an acre, but no larger than two acres.
- 5. It includes one or more theaters for the performing arts and the seating capacity of the theater or theaters is not less than 450 persons.
 - 6. It includes facilities that are used for arts education.

Because this bill relates to an exemption from state or local taxes, it may be referred to the Joint Survey Committee on Tax Exemptions for a report to be printed as an appendix to the bill.

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For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1	SECTION 1. 70.11 (45) of the statutes is created to read:
2	70.11 (45) Nonprofit community theater. All property owned or leased by a
3	corporation, organization, or association that is exempt from taxation under section
4	501 (c) (3) of the Internal Revenue Code, if the property satisfies the following
5	conditions:
6	(a) It is used for the purposes for which the exemption under section 501 (c) (3)
7	of the Internal Revenue Code is granted to the corporation, organization, or
8	association that owns or leases the property.
9	(b) It is located on land that the property owner owned prior to the effective date
10	of this paragraph [LRB inserts date], or on land donated by a local business owner
11	or by a municipality.
12	(c) It is located on land that is within 20 miles of the Mississippi River.
13	(d) It is located on a parcel of land that is at least one-fourth of an acre, but no
14	larger than 2 acres.
15	(e) It includes one or more theaters for the performing arts that are operated
16	by the corporation, organization, or association and the seating capacity of the
17	theater or theaters is not less than 450 persons.
18	(f) It includes facilities that are used for arts education.

(1) This act first applies to the property tax assessments as of January 1, 2009.

21 (END)

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SECTION 2. Initial applicability.